THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23132 of 2006

15.11.2006

Between:

S.Ramanjaneyulu @ Salla Chinna Ramanjaneyulu, S/o.late Hanumanna

... Petitioner

AND

The Mandal Revenue Officer, Kudair Mandal, Ananthapur District
And another

... Respondents

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.23132 of 2006

ORDER:

The petitioner is resident of N.Narasapuram h/o.Nakkanadoddi of Guntakal Mandal in Anantapur District. He is statedly owner of land admeasuring Acs.7.12 in survey No.97-B situated in the said village where he dug a bore well for irrigation. On 29.10.2006, purportedly acting on the directions issued by the second respondent, the first respondent directed the petitioner to close the bore well in survey No.97-B within three days from the date of receipt of the said notice. Aggrieved by the same, this writ petition is filed placing reliance on the decision of this Court in **P.Narayana Reddy v MRO, Morthad Mandal**[1] wherein it was held that even while closing/seizing a bore well under Section 15(1) of A.P. Water, Land and trees Act, 2002, the authorities are bound to follow the principles of natural justice.

After getting instructions, learned Assistant Government Pleader for Revenue (General-A) submits that the impugned order is in the nature of show cause notice and that the Mandal Revenue Officer (MRO), Kudair Mandal, will pass orders, after receiving the explanation submitted by the petitioner. In view of the same, the writ petition is disposed of, giving liberty to the petitioner to file explanation before the first respondent within a period of one week from today. As and when such explanation is filed, the MRO shall consider the same and pass reasoned order. Till then, no coercive action should be taken against the petitioner.

The writ petition, with the above observations and directions, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

November 15, 2006

NOTE:

Issue order copy by

17.11.2006.

(By order)

YS

[1] 2004(6) ALD 653